

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 EASTERN DISTRICT OF CALIFORNIA
3 UNITED STATES OF AMERICA,

4 Plaintiff, CR. NO. S-02-0246 EJG
5 v. CIV. NO. S-06-2728 EJG
6 OCTAVIO HERNANDEZ SUAREZ,
7 Defendant. ORDER GRANTING LEAVE TO FILE A
SUPPLEMENTAL BRIEF AND
EXTENDING FILING DEADLINE FOR
OPPOSITION BRIEF
8 /

9 Defendant, a federal prisoner proceeding pro se, filed a
10 motion to vacate, set aside or correct his sentence. In an order
11 filed February 20, 2007, the court established a briefing
12 schedule for the motion. Defendant now seeks leave to file a
13 supplemental brief addressing a recent Supreme Court decision,
14 and the government has requested a 60-day extension in which to
15 file its opposition. Both requests are GRANTED. Defendant's
16 supplemental brief shall be filed and served on the government by
17 May 18, 2007. The government's opposition brief shall be filed
18 and served on defendant by July 20, 2007. Defendant may file and
19 serve a reply no later than August 17, 2007. The matter will
20 stand submitted upon receipt of the reply brief. Failure to
21 timely file the reply brief will be deemed a waiver of the right
22 to file such a brief.

23 IT IS SO ORDERED.

24 Dated: April 19, 2007 /s/ Edward J. Garcia
25 EDWARD J. GARCIA, JUDGE
26 UNITED STATES DISTRICT COURT